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Atty Dkt No. 0243.04 USSN 10/821,055 PATENT

CYGNUS, INC.

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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

The following documents are attached:

- 1. Transmittal:
- 2. Second Preliminary Amendment (including a complete listing of the claims);
- 3. Terminal Disclaimer; and
- 4. Certificates of Facsimile Transmission.

Jany R. Fabrain 10/20/2004 Signature

Gary R. Fabian

Typed or printed name of person signing Certificate

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| In Re Application of: FORD, R., et al. | Confirmation No.: 9632 |
|--|-------------------------|
| Serial No.: 10/821,055 | Art Unit: 3736 |
| Filing Date: 8 April 2004 | Examiner: Robert Nasser |

TRANSMITTAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-referenced application are the following documents:

- 1. Transmittal;
- 2. Second Preliminary Amendment (including a complete listing of the claims);
- 3. Terminal Disclaimer; and
- 4. Certificates of Facsimile Transmission.
- X Charge \$55.00 (small entity rate) to Deposit Account No. 03-4058 for the accompanying Terminal Disclaimer.
- X Charge \$189.00 (small entity rate for 21 dependent claims at \$9.00 per claim) to Deposit Account No. 03-4058 for the additional claims beyond the number for which fees have already been paid.

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No additional fees are believed due in connection with this paper. However, the Commissioner is hereby authorized to charge to Deposit Account No. 03-4058 any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, with the exception of the payment of the Issue Fee.

Respectfully submitted,

Dated: 20 Oct 2004

Βv

Gary R. Fabian, Ph.D. Registration No. 33.875

Agent for Applicants

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